

REMARKS

This Response is submitted in reply to the Office Action dated August 3, 2007. Applicants have amended claims 1, 13, 15, 16, 27, 28, 40, 48, and 56. No new matter is added by these amendments. A Petition for a Three Month Extension of Time to respond to the Office Action and a Supplemental Information Disclosure Statement (IDS) are submitted herewith. Please charge Deposit Account No. 02-1818 for the Petition fee, the Supplemental IDS fee, and any other fee due in connection with the filing of this Response and Three Month Extension of Time.

The Office Action rejected claims 1-93 under 35 U.S.C. §103(a) as being unpatentable over Walker et al. (U.S. Patent No. 6,203,430; hereafter "Walker") in view of Graham et al. (U.S. Patent No. 6,491,584; hereafter "Graham"). Applicants respectfully disagree with and traverse this rejection for at least the reasons set forth below.

Walker discloses a slot machine which identifies a tracked symbol and initializes a running count representing active occurrences of the tracked symbol generated during a play session. During the play session, the slot machine adjusts the running count by increasing the running count to reflect occurrences of the tracked symbol and by decreasing the running count to reflect expiration of occurrences of the tracked symbol. Walker does not limit the number of plays in the play session (e.g., by designating a number of initial spins of the reels). Instead of limiting the number of plays, Walker limits the duration which the occurrences of the tracked symbol remain active for the play session. That is, each occurrence of the tracked symbol in Walker expires at a particular date/time or after a designated number of plays. Such expiration gives players a limited amount of time in which to accumulate occurrences of the tracked symbol for an award. Accordingly, Walker does not anticipate or render obvious a gaming device which comprises "an initial designated number of spins of the reels, said designated number being greater than one" as in independent claim 1.

Moreover, Walker does not anticipate or render obvious a designated number of the prize symbols necessary to be accumulated to win an associated physical prize, wherein the designated number of prize symbols is greater than the number of prize symbols which can possibly be accumulated in the initial designated number of spins of

the reels as in independent claim 1. For the reasons set forth above, Walker does not limit the number of plays in the play session (e.g., by designating a number of initial spins of the reels). In Walker, players are given a limited amount of time in which to accumulate occurrences of the tracked symbol for an award. However, Walker does not designate a number of prize symbols necessary to be accumulated to win an associated physical prize to be greater than a number of prize symbols which can be possibly accumulated in a given play session or an initial designated number of spins.

Additionally, Walker does not anticipate or render obvious a re-trigger symbol as in independent claim 1. The Office Action recognized that Walker "lacks in explicitly disclosing at least one re-trigger symbol." The Office Action relied on Graham to teach a gaming machine with a re-trigger bonus, in which predetermined events in the course of a game initiate free or bonus games.

However, Walker appears to teach away from using a re-trigger symbol as taught by Graham. Walker enables a player to play any number of base games in a play session. That is, Walker does not limit the number of plays or games in the play session (e.g., by designating a number of initial spins of the reels). For this reason, Walker discloses an expiration which gives players a limited amount of time in which to accumulate occurrences of the tracked symbol for an award. In contrast, the re-trigger symbol as taught by Graham extends a bonus game by providing a player additional free plays of the bonus game. Accordingly, the expiration feature of Walker appears to teach away from a modification of Walker using the re-trigger feature of Graham.

Additionally, Graham provides a re-trigger symbol in a bonus or free game. The re-trigger symbol extends (the number of plays of) the bonus or free game. Since Walker does not limit the number of plays in a play session, there would be no apparent reason for one skilled in the art to modify Walker with this teaching of Graham. Moreover, it appears that any benefit for extending a play session in Walker by incorporating the re-trigger bonus of Graham would be nullified by the expiration feature of Walker. That is, even if Walker included a re-trigger symbol, the accumulated occurrences of the tracked symbol would still expire at a designate day/time or after a designated number of plays and Walker would still give players a limited amount of time in which to accumulate occurrences of the tracked symbol for an award.

Regardless, the proposed combination of Walker and Graham does not render obvious a gaming machine which comprises the combination of, among other elements: (i) a plurality of symbols on the reels, said symbols including at least one prize symbol associated with a physical prize and at least one re-trigger symbol; (ii) an initial designated number of spins of the reels, said designated number being greater than one; and (iii) a designated number of the prize symbols necessary to be accumulated to win a physical prize, wherein the designated number of prize symbols is greater than the number of prize symbols which can possibly be accumulated in the initial designated number of spins of the reels, as in independent claim 1.


Accordingly, for at least the reasons set forth above, independent claim 1 and its dependent claims are patentable over the proposed combination of Walker and Graham and in condition for allowance.

For similar reasons as set forth above with respect to claim 1, independent claims 28, 40, 48, 56, 74, and 85 and their respective dependent claims are also patentable over the proposed combination of Walker and Graham and in condition for allowance.

An earnest endeavor has been made to place this application in condition for allowance and is courteously solicited. If the Examiner has any questions related to this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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